

Agenda

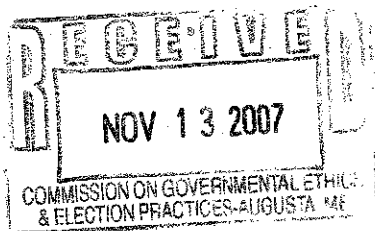
Item #6



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life www.portlandmaine.gov

Corporation Counsel
Gary C. Wood



November 9, 2007

Associate Counsel
Elizabeth L. Boynton
Penny Littell
James R. Adolf
Mary E. Costigan

Gavin O'Brien
Commission on Governmental Ethics
And Election Practices
135 State House Station
Augusta, ME 04333-0135

**RE: Letter Dated October 23, 2007 Concerning Late Filing of September Lobbyist
Monthly Disclosure Report**

Dear Mr. O'Brien:

I am respectfully requesting that the Commission make a final penalty determination in relation to the late filing of the City's September lobbyist monthly disclosure report and not impose the \$100 fine noted in your letter dated October 23, 2007 (attached).

The reason that the City was late with this one report is that the position of City Lobbyist was in transition between myself and my office (Corporation Counsel) and Assistant City Manager Patricia Finnigan who works in the City Manager's office. There was confusion between our offices as to who was responsible for filing the September report which is why it was filed late.

In behalf of the City I would also note that we have never been late with any prior filings and always done our best to report any lobbying effort as required by law.

As a municipality we try to make sure that all of our taxpayer's dollars are spent in the interest of the taxpayers and we hope that you will forgive this one late filing and the \$100 penalty.

Thank you for your consideration.

Sincerely,

Gary C. Wood
Corporation Counsel and former Lobbyist
for the City of Portland

cc: Pat Finnigan, Assistant City Manager and Lobbyist for City of Portland



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

OCT 23 2007

To: Gary Wood, Lobbyist for:
City of Portland

From: Gavin O'Brien

Date: October 23, 2007

Each registered lobbyist is required to file monthly reports with the Commission on Governmental Ethics and Election Practices no later than 15 calendar days following the month that is the subject of the report. Reports are due by 5:00 p.m. Any person who fails to file a timely report may be assessed a penalty of \$100 for every month the report is late. You filed your September Lobbyist Monthly Disclosure report on 10/16/07. The penalty is \$100.

If you agree with this preliminary penalty determination, you may use the attached billing statement to pay that amount within 30 days of the date of this notice. Please mail your remittance to the Commission on Governmental Ethics and Election Practices, 135 State House Station, Augusta, Maine 04333.

However, if you have a valid reason for filing late, you may request the Commission to make a final penalty determination. The Commission will notify you of the disposition of your case within 10 days after its determination.

Any person who fails to file a report or pay a fee may be suspended from further lobbying by written notice of the Commission until such failure is corrected.

Please direct any questions you may have about this matter to the Commission at (207) 287-4179.

cc: City of Portland

Cut Along Dotted Line

To: Commission on Governmental Ethics
and Election Practices
135 State House Station
Augusta, Maine 04333

From: Gary Wood, Lobbyist for:
City of Portland

Re: Penalty for late filing of the September Lobbyist Disclosure Report (\$100)

Amount Enclosed: \$ _____

Check/M.O. No.: # _____

Please make Check or Money Order Payable to Treasurer, State of Maine

OFFICE LOCATED AT: 242 STATE STREET, AUGUSTA, MAINE
WEBSITE: WWW.MAINE.GOV/ETHICS

PHONE: (207) 287-4179

FAX: (207) 287-6775



● Menu ● Home ● Help ● Logout ● Change Password ✓ Popup Help

Multiple Reports for Mr. Gary Wood

Monthly Report - Long Form

Report Description	Report Status	Report Date		
December -- 2006	Filed	1-2-2007	Delete	Print
January -- 2007	Filed	2-13-2007	Delete	Print
February -- 2007	Filed	3-9-2007	Delete	Print
March -- 2007	Filed	4-17-2007	Delete	Print
April -- 2007	Filed	5-11-2007	Delete	Print
May -- 2007	Filed	6-15-2007	Delete	Print
June -- 2007	Filed	7-12-2007	Delete	Print
July -- 2007	Filed	8-3-2007	Delete	Print
August -- 2007	Filed	9-4-2007	Delete	Print
September -- 2007	Filed	10-16-2007	Delete	Print

Search Add Top Page Up Page Dn End Report Menu

Instructions to:

Create new monthly report - click the Add button

****See Help Menu for Instructions****

Title 3, §319, Penalty

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§319. Penalty

1. Failure to file registration or report. Any person who fails to file a registration or report as required by this chapter may be assessed a fine of \$100 for each person listed or who should have been listed on the lobbyist registration for every month the person fails to register or is delinquent in filing a report pursuant to section 317. The commission may waive the penalty in whole or in part if the commission determines the failure to register or report was due to mitigating circumstances.

[1993, c. 691, §22 (rpr).]

1-A. Notice of suspension. Any person who fails to file a report or pay a fee as required by this chapter may be suspended from further lobbying by written notice of the commission until such failure is corrected.

[1993, c. 446, Pt. B, §12 (amd).]

2.

[1979, c. 632, §3 (rp).]

3. Exemption. Notwithstanding section 317, subsection 1, a registered lobbyist is exempt from the penalty imposed under this section if, while the Legislature is convened in special session, the lobbyist failed to file a report with the commission pursuant to section 317 if no lobbying has been performed during that special session.

[1993, c. 446, Pt. B, §13 (amd).]

PL 1975, Ch. 576, § (NEW).

PL 1975, Ch. 621, §2 (RP).

PL 1975, Ch. 724, § (REN).

PL 1977, Ch. 696, §17 (AMD).

PL 1979, Ch. 632, §3 (RPR).

PL 1989, Ch. 114, § (AMD).

PL 1991, Ch. 465, §2 (AMD).

PL 1993, Ch. 446, §A15, B11-13 (AMD).

PL 1993, Ch. 691, §22 (AMD).